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Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 30th November, 1973/Agrahayana 9, 1895 (Saka)

THE DADRA AND NAGAR HAVELI LAND REFORMS (AMENDMENT) REGULATION, 1973

No. 5 OF 1973

Promulgated by the President in the Twenty-fourth year of the Republic of India.

A Regulation to amend the Dadra and Nagar Haveli Land Reforms Regulation, 1971.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him:—

Short title and commencement.

1. (1) This Regulation may be called the Dadra and Nagar Haveli Land Reforms (Amendment) Regulation, 1973.

(2) It shall come into force at once.

Amendment of section 4.

3 of 1971.

2. In section 4 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 (hereinafter referred to as the principal Regulation), for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) No agricultural land, including any part thereof, in respect of which occupancy rights are deemed to have been granted to any person under this section shall be transferred by way of sale, lease, mortgage, exchange or otherwise, except in accordance with such rules as may be made in this behalf and, where such transfer is by way of sale, also on payment to the Government of such premium, if any, as may be specified in such rules:

Provided that the premium that may be specified shall not exceed one-half of the difference between the sale price of the land and the occupancy price paid in respect thereof.".

Substitution of new section for section 8.

3. For section 8 of the principal Regulation, the following section shall be substituted, namely:—

Ceiling area.

"8. (*1*) Subject to the provisions of sub-section (*2*), the ceiling area of land for the purposes of this Regulation shall be—

(*i*) 7·5 hectares, in the case of land capable of yielding two or more crops in a year; or

(*ii*) 11 hectares, in the case of land capable of yielding only one crop in a year; or

(*iii*) 16 hectares, in the case of any other land.

(*2*) Where a person possesses land falling under more than one category specified in sub-section (*1*), then, the land possessed by him shall be converted into land falling under category (*iii*) and for the purpose of such conversion one hectare of land falling under category (*i*) shall be treated as equal to 2·15 hectares of land falling under category (*iii*), and one hectare of land falling under category (*ii*) shall be treated as equal to 1·45 hectares of land falling under category (*iii*).

(*3*) If any question whether any land is capable of yielding only one crop or more than one crop in a year arises, such question shall be decided by the Collector and his decision thereon shall be final.".

Amendment of section 9.

4. In section 9 of the principal Regulation,—

(*a*) in sub-section (*1*), the following proviso and *Explanation* shall be inserted at the end, namely:—

'Provided that where the person is a joint family, each major male member of such family shall be entitled to possess—

(*i*) where such member has no family, so much land as an individual is entitled to possess under this section; or

(*ii*) where such member has a family, so much land as a family is entitled to possess under this section,

and, in either case, such possession may be either by the member himself or jointly with any other major male member of the joint family.

Explanation.—For the purposes of this sub-section and sub-section (*3*), "family" means a person, his or her spouse and their minor sons and unmarried daughters.'.

(*b*) in sub-section (*3*),—

(*i*) the words "or joint family" shall be omitted;

(ii) the *Explanation* shall be omitted.

Amendment of section 22.

5. In section 22 of the principal Regulation, in sub-section (*1*), after clause (*g*), the following clause shall be inserted, namely:—

"(*gg*) the amount of annual land revenue assessment relatable to any part of the said land having regard to its area and the assessment rate for the time being in force for the land of the class comprised therein;".

6. In section 28 of the principal Regulation, in sub-section (*1*), for the proviso, the following proviso shall be substituted, namely:— Amendment of section 28.

"Provided that the land so allotted shall not be transferred by way of sale, mortgage, exchange, gift, lease or otherwise except in accordance with such rules as may be made in this behalf and, where such transfer is by way of sale, also on payment to the Government of such premium (not exceeding one-half of the difference between the sale price of the land and the occupancy price paid in respect thereof under section 29), if any, as may be specified in such rules.".

7. In section 55 of the principal Regulation, in the proviso, for the words "date of publication of this Regulation", the words "date on which any o fthe provisions of this Regulation is first brought into force" shall be substituted. Amendment of section 55.

V. V. GIRI,
President.

K. K. SUNDARAM,
Secy. to the Govt. of India.

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